

# **EXHIBIT A**

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NASSAU

-----X  
FANY NUNEZ-ESQUIVEL AND ADIN GOMEZ,

Plaintiffs,

-against-

~~SCHNEIDER-NATIONAL CARRIERS, INC. AND~~  
~~MICHAEL DARRAS,~~  
Defendants.

-----X

Index No.: 61272012021

Dated Purchased: 10/6/2021

**SUMMONS**

Plaintiff designates Nassau as  
the place of trial.

The basis of venue is  
County where Plaintiffs  
reside.

Plaintiffs reside at  
621 Front St., Apt 3A  
Hempstead NY 11550  
County of NASSAU

**To the above named Defendant**

**You are hereby summoned** to answer the complaint in this action, and to serve a copy of your answer, or if the complaint is not served with this summons, to serve a notice of appearance on the Plaintiff's attorneys within twenty days after the services of this summons exclusive of the day of service, where service is made by delivery upon you personally within the state, or within 30 days after completion of service where service is made in any other manner. In case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: Mineola, New York  
October 6, 2021

Yours etc.,  
**CASSISI & CASSISI, P.C.**

  
MATTHEW MALONEY, ESQ.  
155 FIRST ST., SUITE 101  
MINEOLA, NY 11501  
(516) 294-5050  
OUR FILE NO. 2100012

**DEFENDANTS ADDRESS:**

**MICHAEL DARRAS**  
15594 State Route 116  
Vanwert, Ohio 45891

**SCHNEIDER NATIONAL CARRIERS, INC.**  
c/o C T Corporation System  
28 Liberty Street  
New York, NY 10005

**PROMPTLY FORWARD TO YOUR AUTOMOBILE INSURANCE COMPANY**

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NASSAU

-----X

FANY NUNEZ-ESQUIVEL AND ADIN GOMEZ,

VERIFIED  
COMPLAINT

Plaintiffs,

Index # 61272012021

-against-

SCHNEIDER NATIONAL CARRIERS, INC. AND  
MICHAEL DARRAS,  
Defendants.

-----X

**PLAINTIFFS**, complaining of the Defendants, by their attorneys, **CASSISI & CASSISI, P.C.**, respectfully allege:

AS AND FOR A FIRST CAUSE OF ACTION ON BEHALF OF PLAINTIFF

FANY NUNEZ-ESQUIVEL

1. Upon information and belief, at all the dates and times hereinafter mentioned, Defendant, SCHNEIDER NATIONAL CARRIERS, INC. owned a 2020 motor vehicle bearing vehicle identification number 3AKJHHDR2LSR9157 and State of Indiana license number 2784187, for the year 2021, commonly referred to as a "crew cab" for a tractor trailer.

2. Upon information and belief, at all the dates and times hereinafter mentioned, Defendant, SCHNEIDER NATIONAL CARRIERS, INC. leased a 2020 motor vehicle bearing vehicle identification number 3AKJHHDR2LSR9157 and State of Indiana license number 2784187, for the year 2021, commonly referred to as a "crew cab" for a tractor trailer.

3. Upon information and belief, at all the dates and times hereinafter mentioned, Defendant, SCHNEIDER NATIONAL CARRIERS, INC. maintained a 2020 motor vehicle bearing vehicle identification number 3AKJHHDR2LSR9157 and State of Indiana license number 2784187, for the year 2021.

4. Upon information and belief, at all the dates and times hereinafter mentioned, Defendant, SCHNEIDER NATIONAL CARRIERS, INC. managed a 2020 motor vehicle bearing vehicle identification number 3AKJHHDR2LSR9157 and State of Indiana license number 2784187, for the year 2021.

5. Upon information and belief, at all the dates and times hereinafter mentioned, Defendant, SCHNEIDER NATIONAL CARRIERS, INC. owned a 2011 trailer, State of Indiana license number P270685, for the year 2021.

6. Upon information and belief, at all the dates and times hereinafter mentioned, Defendant, SCHNEIDER NATIONAL CARRIERS, INC. leased a 2011 trailer, State of Indiana license number P270685, for the year 2021.

7. Upon information and belief, at all the dates and times hereinafter mentioned, Defendant, SCHNEIDER NATIONAL CARRIERS, INC. maintained a 2011 trailer, State of Indiana license number P270685, for the year 2021.

8. Upon information and belief, at all the dates and times hereinafter mentioned, Defendant, SCHNEIDER NATIONAL CARRIERS, INC. managed a 2011 trailer, State of Indiana license number P270685, for the year 2021.

9. Upon information and belief, at all the dates and times hereinafter mentioned, Defendant, MICHAEL DARRAS, managed the aforesaid vehicle with attached trailer for the year 2021.

10. Upon information and belief, at all the dates and times hereinafter mentioned, Defendant, MICHAEL DARRAS, operated the aforesaid vehicle with attached trailer for the year 2021.

11. Upon information and belief, at all the dates and times hereinafter mentioned, Defendant, MICHAEL DARRAS, controlled and operated the aforesaid vehicle with attached trailer for the year 2021.

12. Upon information and belief, at all the dates and times hereinafter mentioned, Defendant, MICHAEL DARRAS, operated and/or controlled the aforesaid vehicle with attached trailer for the year 2021, with the permission, either express and/or implied, of the Defendant, SCHNEIDER NATIONAL CARRIERS, INC.

13. Upon information and belief, at all the dates and times hereinafter mentioned, Defendant, MICHAEL DARRAS, operated and/or controlled the aforesaid vehicle with attached trailer on US Hwy 224/ N 500, County of Decatur and State of Indiana.

14. That at all the dates and times hereinafter mentioned, Plaintiff, FANY NUNEZ-ESQUIVEL, owned, operated and controlled a certain motor vehicle bearing registration number 6323872, State of Colorado, for the year 2021.

15. That at all the dates and times hereinafter mentioned, Plaintiff, FANY NUNEZ-ESQUIVEL, operated and controlled the aforesaid vehicle on US Hwy 224/ N 500, County of Decatur and State of Indiana.

16. That at all the dates and times hereinafter mentioned, the vehicle with attached trailer owned and maintained by Defendant, SCHNEIDER NATIONAL CARRIERS, INC. and operated and/or controlled by Defendant, MICHAEL DARRAS, came into contact with the motor vehicle owned, operated and/or controlled by Plaintiff, FANY NUNEZ-ESQUIVEL, at or near the aforesaid location.

17. That on or about February 11, 2021, at approximately 10:43 AM while Plaintiff, FANY NUNEZ-ESQUIVEL, owned, operated and controlled her aforesaid motor vehicle at the aforesaid location, the vehicle with attached trailer, owned and maintained by Defendant, SCHNEIDER NATIONAL CARRIERS, INC. and operated and controlled by Defendant, MICHAEL DARRAS. came into contact and struck Plaintiffs' motor vehicle causing a collision between the aforesaid motor vehicles, without any fault on the part of the Plaintiff, FANY NUNEZ-ESQUIVEL, contributing thereto and wholly and solely by reason of the recklessness, carelessness and/or negligence of the Defendants in the ownership, operation, maintenance and control of the aforesaid motor vehicle with the result that Plaintiff were caused to be severely and permanently injured.

18. That as a further result of the premises as aforesaid, the Plaintiff, FANY NUNEZ-ESQUIVEL, was rendered sick, sore, lame and disabled, sustaining severe, serious and permanent personal injuries and was, and still is, internally and externally injured, causing her to suffer great pain and for a long period of time was prevented from attending to her daily activities and has endured, and will continue to endure, great pain, suffering and mental anguish, and liability for her medical bills for treatments and surgeries, all to her damage.

19. That this action falls within one or more of the exceptions set forth in the Civil

Practice Law and Rules, Article 16, specifically Section 1602.

20. That by reason of the forgoing, Plaintiff FANY NUNEZ-ESQUIVEL was damaged in a sum which exceeds the jurisdictional amount of all lower courts which would otherwise have jurisdiction.

**AS AND FOR A SECOND CAUSE OF ACTION ON BEHALF OF PLAINTIFF  
ADIN GOMEZ**

21. Plaintiff ADIN GOMEZ repeats and realleges each and every allegation contained in paragraphs numbered "1-20" inclusive as if fully set forth herein.

22. That at all dates and times herein mentioned Plaintiff ADIN GOMEZ was travelling as a passenger in the automobile owned, operated and controlled by Plaintiff, FANY NUNEZ-ESQUIVEL, bearing registration number 6323872, State of Colorado, for the year 2021.

23. That at all dates and times herein mentioned Plaintiff ADIN GOMEZ was travelling as a passenger in the automobile owned, operated and controlled by Plaintiff, FANY NUNEZ-ESQUIVEL, bearing registration number 6323872, State of Colorado, for the year 2021, as she drove same on US Hwy 224/ N 500, County of Decatur and State of Indiana.

24. That at all the dates and times hereinafter mentioned, the vehicle with attached trailer owned and maintained by Defendant, SCHNEIDER NATIONAL CARRIERS, INC. and operated and/or controlled by Defendant, MICHAEL DARRAS, came into contact with the motor vehicle owned, operated and/or controlled by Plaintiff, FANY NUNEZ-ESQUIVEL, at or near the aforesaid location, while the Plaintiff, ADIN GOMEZ, was travelling in same as a passenger.

25. That on or about February 11, 2021, at approximately 10:43 AM while Plaintiff, ADIN GOMEZ was traveling as a passenger in the motor vehicle owned, operated and controlled by Plaintiff FANY NUNEZ-ESQUIVEL, at the aforesaid location, the vehicle with attached trailer, owned and maintained by Defendant, SCHNEIDER NATIONAL CARRIERS, INC. and operated and controlled by Defendant, MICHAEL DARRAS, came into contact and struck Plaintiff, FANY

NUNEZ-ESQUIVEL'S motor vehicle causing a collision between the aforesaid motor vehicles, without any fault on the part of the Plaintiff, ADIN GOMEZ, contributing thereto and wholly and solely by reason of the recklessness, carelessness and/or negligence of the Defendants in the ownership, operation, maintenance and control of the aforesaid motor vehicle with the result that Plaintiff was caused to be severely and permanently injured.

26. That as a further result of the premises as aforesaid, the Plaintiff, ADIN GOMEZ, was rendered sick, sore, lame and disabled, sustaining severe, serious and permanent personal injuries and was, and still is, internally and externally injured, causing her to suffer great pain and for a long period of time was prevented from attending to her daily activities and has endured, and will continue to endure, great pain, suffering and mental anguish, and liability for his medical bills for treatments and surgeries, all to his damage.

27. That this action falls within one or more of the exceptions set forth in the Civil Practice Law and Rules, Article 16, specifically Section 1602.

28. That by reason of the forgoing, Plaintiff ADIN GOMEZ was damaged in a sum which exceeds the jurisdictional amount of all lower courts which would otherwise have jurisdiction.

**WHEREFORE**, Plaintiffs' demand judgment against the Defendants in a sum which exceeds the jurisdictional amount of all lower courts which would otherwise have jurisdiction, together with interest, costs and disbursements of this action.

Dated: Mineola, New York  
October 6, 2021

YOURS, ETC.,  
CASSISI & CASSISI, P.C.

  
MATTHEW MALONEY, ESQ.  
Attorneys for Plaintiff  
155 FIRST ST., SUITE 101  
MINEOLA, NY 11501  
(516) 294-5050  
OUR FILE NO. 2100012